

NEWS RELEASE

Nebraska Department of Natural Resources

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Water Policy Task Force Highlights Progress toward Integrated Water Management

(Lincoln, Neb.) The Water Policy Task Force today provided an update on the implementation of the new water policy law, LB962. The new law integrates the management of surface water and groundwater in Nebraska. LB962 reflects a consensus reached by the 49 member Water Policy Task Force appointed in 2002 by Gov. Johanns.

“LB962 changed our approach to water management in Nebraska,” Roger K. Patterson, Director of the Department of Natural Resources said. “It provides a proactive method of dealing with our state’s water issues before they become major problems. We knew this would not be easy, so I applaud the task force members and local natural resources representatives who are working hard to develop local water plans to ensure this finite resource is protected for future generations.”

Senator Ed Schrock, of Elm Creek, said, “The storm clouds were gathering over water issues and I felt it was important to resolve these issues through legislative policy, not litigation in the courts. The Water Policy Task Force, whose make-up was heavily weighted toward irrigators but also included representatives from municipal, power, recreational and environmental interests, did a tremendous job creating a delicate balance to address all interests. It is also important to state that without Governor Johann's support on this issue, we would never have had the success we did.

At its November 30, 2004 meeting in Kearney, the Water Policy Task Force unanimously passed a resolution calling for full funding of at least 4.7 million dollars per year to support activities required by LB962.

LB962 requires the Nebraska Department of Natural Resources (DNR) to make an annual assessment of all river basins in the state to determine if they are fully appropriated. That assessment is based on an analysis of the combined supply of surface water and hydrologically-connected groundwater to determine whether that supply can support additional development. The assessments are expected to be completed statewide in January 2006.

Following a determination that a basin is fully appropriated, a hold is placed on new permits for surface water use, groundwater wells, and new irrigated acres until an Integrated Management Plan is implemented. In addition and most significantly, the law requires that the local Natural Resource Districts (NRDs) and the DNR jointly develop an Integrated Management Plan for each fully or over appropriated basin. One of the strengths of LB 962 is that these plans are developed by the DNR and the local NRD boards with input from the stakeholders that will be affected by the plan and thus can be adapted to address local concerns and conditions.

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Significant progress has been made both in the area of assessments and the development of Integrated Management Plans. In November, the Middle Republican NRD approved an Integrated Management Plan, the first such plan under the new law.

Dan Smith, Manager of the Middle Republican NRD, said, " compliance with the Republican River Compact was the driving force for developing the rules and regulations of the NRD's IMP, but LB 962 provided the framework and tools for this work."

The Tri-Basin NRD has also approved a plan, which was developed prior to the passage of the legislation. Integrated Management Plans are also being developed in seven other NRDs. The Upper and Lower Republican NRDs are finalizing draft plans. The DNR has met several times with the North Platte NRD, Twin Platte NRD, South Platte NRD and the Upper-Niobrara White NRD and their respective stakeholder groups to develop the framework for management plans in their respective areas.

Several key basin assessments have been completed. In July 2004, the Upper, Middle, and Lower Republican Natural Resource Districts were designated as fully appropriated, as was the entire North Platte NRD (with the exception of the Pumpkin Creek subarea). In September 2004, portions of the Platte River Basin upstream of Elm Creek were designated as over appropriated, and the Platte River Basin upstream of the confluence with the Loup River was determined to be fully appropriated. In November 2004, significant portions of the Upper Niobrara White NRD were determined to be fully appropriated.

The legislature provided \$2.5 million in funding for the first year of implementation and reauthorized the Water Policy Task Force through 2009. The task force includes irrigators from each of the state's 13 major river basins as well as representatives of natural resources districts, public power districts, municipalities, agricultural organizations, recreation users, environmental interests, the legislature's Natural Resources Committee, the Attorney General's Office and the DNR.

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